

DECLARATORY RESOLUTION
NO. 713-1939

Resolution for the appropriation of property for the purpose of constructing "Sewage Disposal Works" by condemning and appropriating all lots and lands situated east of Glasgow Avenue; south of the Maumee River; west of the east line of lot number one hundred four (104) White's Fourth Addition to the City of Fort Wayne, Indiana, and said line extended northward to its intersection with the Maumee River; and north of Dwenger Avenue, excepting from the aforementioned area lots numbered one hundred fifty-three (153) (154), (155), and (156) in White's Fourth Addition to the City of Fort Wayne. Also all lots and lands situated south of Dwenger Avenue; west of the E. line of Lot No. (57) White's Fourth Addition to the City of Fort Wayne; north of the right-of-way of the New York, Chicago and Saint Louis R.R. and E. of Lyons Street, all of which is specifically described as follows: (HI)

APPROVED-ADOPTED: April 13, 1939

NOT.PROP.OWNERS: April 15th-22nd, '39

HEARING ON CONFM: Thurs. May 4, 1939,
7:30 P.M.

FILED: Thur. May 4, 1939, 7:30 P.M.

Roll Ord. " " "

Roll Ord. " " " Thurs. June 1,
1939, 7:30 P.M.

Roll Ord. " " " Tues. June 13, 1939

Roll Ord. " " " June 8th
15th and 22nd 1939.

Roll Ord. " " " Thurs. July 6, 1939, 7:30 P.M.

RESOLUTION FOR THE APPROPRIATION OF PROPERTY.

RESOLVED, By the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed desirable and necessary to acquire the use and the fee simple title of real estate for the purpose of construction of "SEWAGE DISPOSAL WORKS" as specifically defined in the Acts of the Special Session of the General Assembly of the State of Indiana of 1932, by condemning and appropriating all lots and lands situated east of Glasgow Avenue; south of the Maumee River; west of the east line of Lot Number one hundred four (104) White's Fourth Addition to the City of Fort Wayne, Indiana, and said line extended northward to its intersection with the Maumee River; and north of Dwenger Avenue, excepting from the aforementioned area lots numbered one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-five (155) and one hundred fifty-six (156) in White's Fourth Addition to the City of Fort Wayne, Indiana. Also all lots and lands situated south of Dwenger Avenue; west of the east line of Lot Number fifty-seven (57) White's Fourth Addition to the City of Fort Wayne, Indiana; north of the right of way of the New York, Chicago and Saint Louis Railroad, and east of Lyons Street, all of which is more specifically described as follows:

Lots numbered one (1), two (2), three (3), four (4), five (5), six (6), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), Pfleiderer's Amended Addition to the City of Fort Wayne, Indiana.

Also, Lots numbered one hundred four (104), one hundred five (105), one hundred six (106), one hundred seven (107), one hundred eight (108), one hundred nine (109), one hundred ten (110), one hundred eleven (111), one hundred twelve (112), one hundred thirteen (113), one hundred fourteen (114), one hundred fifteen (115), one hundred sixteen (116), one hundred seventeen (117), one hundred eighteen (118), one hundred nineteen (119), one hundred twenty (120), one hundred twenty-one (121), one hundred twenty-two (122), one hundred twenty-three (123), one hundred twenty-four (124), one hundred twenty-five (125), one hundred twenty-six (126), one hundred twenty-seven (127), one hundred twenty-eight (128), one hundred twenty-nine (129), one hundred thirty (130), one hundred thirty-one (131), one hundred thirty-two (132), one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-five (135), one hundred thirty-six (136), one hundred thirty-seven (137), one hundred thirty-eight (138), one hundred thirty-nine (139), one hundred forty (140), one hundred forty-one (141), one hundred forty-two (142), one hundred forty-three (143), one hundred forty-four (144), one hundred forty-five (145), one hundred forty-six (146), one hundred forty-seven (147), one hundred forty-eight (148), one hundred forty-nine (149), one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-seven (157), one hundred

MEMO --

FROM THE CITY ATTORNEY

Board of Public Works ...

I don't seem to have any
record or memory of the purchase
of this property by the City.

Do you know anything about
it?

... PAUL W. PHILIPS

January 26, 1955.

Dec. Res 708-1938

Hamilton Place Edb.

*Condemned & appropriated
for sewer purposes*

fifty-eight (158), one hundred seventy-three (173), one hundred seventy-four (174), one hundred seventy-five (175), one hundred seventy-six (176), one hundred seventy-seven (177), one hundred seventy-eight (178), one hundred seventy-nine (179), one hundred eighty (180), one hundred eighty-one (181), one hundred eighty-two (182), one hundred eighty-three (183), one hundred eighty-four (184), one hundred eighty-five (185), one hundred eighty-six (186), one hundred eighty-seven (187), one hundred eighty-eight (188), one hundred eighty-nine (189), one hundred ninety (190), one hundred ninety-one (191), one hundred ninety-two (192), one hundred ninety-three (193), one hundred ninety-four (194), one hundred ninety-five (195), one hundred ninety-six (196), one hundred ninety-seven (197), one hundred ninety-eight (198), one hundred ninety-nine (199), two hundred (200), two hundred one (201), two hundred two (202), two hundred three (203), two hundred four (204), two hundred five (205), two hundred six (206), two hundred seven (207), two hundred eight (208), two hundred nine (209), two hundred ten (210), two hundred eleven (211), two hundred twelve (212), two hundred thirteen (213), two hundred fourteen (214), two hundred fifteen (215), two hundred sixteen (216), two hundred seventeen (217), two hundred eighteen (218), two hundred nineteen (219), two hundred twenty (220), two hundred twenty-one (221), two hundred twenty-two (222), two hundred twenty-three (223), two hundred twenty-four (224), two hundred twenty-five (225), two hundred twenty-six (226), two hundred twenty-seven (227), two hundred twenty-eight (228), two hundred twenty-nine (229), two hundred forty-three (243), two hundred forty-four (244), two hundred forty-five (245) White's Fourth Addition to the City of Fort Wayne, Indiana.

Also, a portion of Section Six (6), Township Thirty (30) North, Range Thirteen (13) East, described as follows: Commencing at a point three hundred (300) feet northerly along the east line of Glasgow Avenue from the corner of Glasgow Avenue and Zollinger Street; thence eastward ninety-six (96) feet; thence north seventy (70) feet to the bank of the Maumee River; thence west along said river bank seventy-five (75) feet to the east line of Glasgow Avenue; thence south along the east line of Glasgow Avenue seventy (70) feet to the place of beginning.

Also, a one and forty-five hundredths (1.45) acre tract of land located in Section Six (6), Township Thirty (30) North, Range Thirteen (13) East, described as follows: Commencing at the intersection of the west line of said tract surveyed and platted by the County Surveyor of Allen County, Indiana, as shown in Surveyor's Record "C" page four hundred eighty-five (485), and the Maumee River; thence easterly with the meanderings of said river to a point, being the northeast corner of said tract; thence south twenty-five and one half ($25\frac{1}{2}$) minutes west, on the east line of said tract one hundred seventy-five (175) feet to a point on a fourteen (14) foot alley; thence west on the north line of said alley four hundred thirty and five tenths (430.5) feet to a point which is the southwest corner of said tract; thence north eighty-five (85) feet to the place of beginning.

Also, all that parcel of land in Section Six (6), Township Thirty (30) North, Range Thirteen (13) East, described as follows: Commencing at a point on the north line of Zollinger Street two hundred seventy-five (275) feet west of the northwest corner of Zollinger Street and Lyons Street; thence east on the north line of Zollinger Street two hundred seventy-five (275) feet to the northwest corner of Zollinger Street and Lyons Street; thence north on the west line of Lyons Street to the north line of a twenty (20) foot alley on the north side of White's Fourth Addition; thence east on the north line of said alley to a point in line with a line between Lots numbered two hundred twenty-two (222) and two hundred twenty-three (223) in said White's Fourth Addition; thence northerly three hundred four (304) feet; thence west bearing north two hundred fourteen (214) feet to a point which is four hundred six (406) feet straight northerly from the corner of Zollinger Street and Lyons Street; thence west bearing south a distance of two hundred seventy-five (275) feet; thence south nearly parallel with the east line of Glasgow Avenue a distance of three hundred ninety and five tenths (390.5) feet to the place of beginning.

Also, all that part of Section Six (6), Township Thirty (30) North, Range Thirteen (13) East, lying between Lots numbered two hundred four (204) to two hundred twenty-two (222) inclusive, White's Fourth Addition and the Maumee River.

Also, all that part of Section Six (6), Township Thirty (30) North, Range Thirteen (13) East, lying between White's Fourth Addition and the Maumee River, east of Dougall Street and west of the east line of Lot number one hundred four (104) White's Fourth Addition.

Also Lots numbered twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44), forty-five (45), forty-six (46), forty-seven (47), forty-eight (48), forty-nine (49), fifty (50), fifty-one (51), fifty-two (52), fifty-three (53), fifty-four (54), fifty-five (55), fifty-six (56), fifty-seven (57) White's Fourth Addition to the City of Fort Wayne, Indiana.

All of the aforementioned lots and tracts of land being situated within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

All as shown by a plan of such proposed condemnation of said lots and tracts of land now on file in the office of the Department of Public Works of said City.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6th, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, and an "Act To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the treatment and for the disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation and to make them lawful investments of sinking funds; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby; and declaring an emergency," approved August 17th, 1932, and the provisions of all acts amendatory thereto and supplemental thereof.

That the Board of Public Works of the City of Fort Wayne, Indiana, desired and deems it necessary for the City of Fort Wayne, Indiana, that the use and fee simple title of said aforementioned real estate be condemned and appropriated for Sewage Disposal Works.

That the City of Fort Wayne, Indiana, will be benefited by acquiring the use and fee simple title on the part of the City of said real estate and ground herein described, and which real estate is hereby proposed to be condemned and appropriated. That no other property is injuriously effected excepting the property herein to be condemned and appropriated and that the City of Fort Wayne, Indiana, is or will be benefited to the full extent of any damage caused by the appropriation and condemnation.

That payment for damages shall be made pursuant to the provisions and conditions of Chapter 61 of the 1932 Acts of the Special Session, of the General Assembly of the State of Indiana.

Adopted this 13th day of April, 1939.

ATTEST:

Chas. F. Hess

SECRETARY

Robert L. Beams
David Lewis
J. H. Johnson
 BOARD OF PUBLIC WORKS.

MINUTE RECORD NO. 23, PAGE 314

Department of Public Works
Regular Meeting held
Thursday, May 4, 1939, 7:30 P. M.

This being a date and time previously fixed by the Board when it would hear and consider objections or remonstrances against Declaratory Resolution Number 713-1939, RESOLUTION FOR THE APPROPRIATION OF PROPERTY, for the purpose of constructing "Sewage Disposal Works" by condemning and appropriating all lots and lands situated east of Glasgow Avenue; south of the Maumee River; west of the east line of Lot Number one hundred four (104) White's Fourth Addition to the City of Fort Wayne, Indiana, and said line extended northward to its intersection with the Maumee River; and north of Dwenger Avenue, excepting from the aforementioned area lots numbered one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-five (155) and one hundred fifty-six (156) in White's Fourth Addition to the City of Fort Wayne, Indiana. Also all lots and lands situated south of Dwenger Avenue; west of the east line of Lot Number fifty-seven (57) White's Fourth Addition to the City of Fort Wayne, Indiana; north of the right-of-way of the New York, Chicago and Saint Louis Railroad, and east of Lyons Street, all of which is more specifically described in said Declaratory Resolution Number 713; there being no objections or remonstrances of any nature whatsoever presented in the matter of the foregoing resolution, motion was made, seconded and carried that the said resolution be FULLY AND FINALLY CONFIRMED, and that the City Engineer be instructed to prepare an assessment roll of benefits and damages for the same.

DECLARATORY RESOLUTION

NO. 713.- 1939

Resolution for the appropriation of property for the purpose of constructing "Sewage Disposal Works" by condemning and appropriating all lots and lands situated east of Glasgow Avenue; south of the Maumee River; west of the east line of lot number one hundred four (104) White's Fourth Addition to the City of Fort Wayne, Indiana, and said line extended northward to its intersection with the Maumee River; and north of Dwenger Avenue, excepting from the aforementioned area lots numbered one hundred fifty-three (153), (154), (155), and (156) in White's Fourth Addition to the City of Fort Wayne. Also all lots and lands situated south of Dwenger Avenue; west of the East line of Lot No. (57) White's Fourth Addition to the City of Fort Wayne; north of the right-of-way of the New York, Chicago and Saint Louis R. R. and East of Lyons Street, all of which is specifically described as follows: (HI).

APPROVED-ADOPTED:	April 13, 1939
NOTICE TO PROPERTY OWNERS:	April 15th-22nd, 1939
HEARING ON CONFIRMATION:	Thursday, May 4, 1939, 7:30 P. M.
CONFIRMED:	Thursday, May 4, 1939, 7:30 P. M.
ASSESSMENT ROLL ORDERED:	Thursday, May 4, 1939, 7:30 P. M.
ASSESSMENT ROLL APPROVED:	Thursday, June 1, 1939, 7:30 P. M.
NOTICES SERVED:	Tuesday, June 13, 1939
NOTICES TO NON-RESIDENTS:	June 8th, 15th and 22nd, 1939
HEARING:	Thursday, July 6, 1939, 7:30 P. M.

CERTIFICATION

The undersigned, Joseph M. Schwartz, Secretary to the Board of Public Works of the City of Fort Wayne, does hereby certify that as such Secretary, he has in his charge, care and custody the official records of the said Board of Public Works of the City of Fort Wayne containing resolutions adopted by the Board and confirmed by the Board.

He further certifies that the pages to which this certificate is attached is a true and correct copy of Declaratory Resolution No. 713-1939 and of the record of the adoption of said resolution by the Board of Public Works of the City of Fort Wayne and that the record of the final confirmation of said resolution which is attached hereto are true and correct copies of said resolution and of the action of the Board in relation thereto as they appear in the minute records of the said Board of Public Works of the City of Fort Wayne.

He further certifies that the sheet attached hereto setting forth the dates of the adoption and of the final hearing on confirmation of said resolution are true and correct copies of the record under his custody and control and of the dates upon which actions were taken by the Board of Public Works.

IN WITNESS WHEREOF, he has hereunto set his name and the seal of the Board of Public Works of the City of Fort Wayne this 20th day of April, 1950.



Joseph M. Schwartz
Secretary

77-100-11

COMPARED
WITH
PHOTOSTAT

FORT WAYNE, INDIANA

JULY 6th, 1939

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA, AND TO THE BOARD OF SANITARY
COMMISSIONERS OF FORT WAYNE, ALLEN COUNTY, INDIANA:

Donald Tierney and Gladys Tierney, husband
and wife, respectfully show that they are the owners
of the following described real estate:

Lots Numbered 157 and 158 in
White's Fourth Addition to the
City of Fort Wayne, Allen
County, Indiana,

which above described real estate is sought to be
condemned by the City of Fort Wayne, Allen County,
Indiana, under Declaratory Resolutions 713- 1939 and
the laws of the State of Indiana, for the purpose of
constructing a sewage disposal works; that the award
of damages made by this Board is \$2,050.00 for the
condemnation of said described real estate, whereas
the undersigned is damaged and injured in the value
of not less than \$3000.00.

The undersigned, respectfully remonstrate
against the failure of this Board to award damages in
a larger sum.

WHEREFORE, these remonstrators claim as
damages the larger sum of \$3000.00.

Donald Tierney

Gladys Tierney

By Ray M. Leo

Attorney for Remonstrators.

FORT WAYNE, INDIANA

JULY 6th, 1939

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA, AND TO THE BOARD OF SANITARY
COMMISSIONERS OF THE CITY OF FORT WAYNE, ALLEN COUNTY,
INDIANA:

Hubert Suelzer, Barbara Schnoll, Robert J.
Schnoll, Modesta Donehy, Thomas J. Donehy and Sister
Adelina, formerly Antoinette Eyson, respectfully show
that they are the owners of the following described
real estate:

All of that tract of land in Section 6,
Township 30 North, Range 13 East, described
as follows: Commencing at a point on the
north line of Zollinger Street, two hundred
and seventy-five (275) feet west of the
northwest corner of Zollinger Street and
Lyons Street; thence east to said point of
Zollinger Street and Lyons Street on the
north line of Zollinger Street two hundred
and seventy-five (275) feet; thence north
on the west line of Lyons Street to the
north line of a twenty (20) foot alley on the
north side of White's Fourth Addition; thence
east on the north line of said alley to a
point and a stake in line with line between
lots numbered 222 and 223 in said White's
Fourth Addition; thence northerly three
hundred and four (304) feet; thence west
bearing north two hundred and fourteen (214)
feet, four hundred and six (406) feet
straight northerly from the corner of
Zollinger Street and Lyons Street; thence
west bearing south, two hundred and seventy-
five (275) feet; thence south nearly parallel
with the east line of Glasgow Avenue three
hundred ninety and five tenths (390.5) feet
to the place of beginning,

which above described real estate is sought to be
condemned by the City of Fort Wayne, Allen County,
Indiana, under Declaratory Resolutions 713-1939 and
the laws of the State of Indiana, for the purpose of

constructing a sewage disposal works; that the award of damages made by this Board is \$2000.00 for the condemnation of said described real estate, whereas the undersigned is damaged and injured in the value of not less than \$3000.00.

The undersigned, respectfully remonstrate against the failure of this Board to award damages in a larger sum.

WHEREFORE, these remonstrators claim as damages the larger sum of \$3000.00.

Hubert Suelzer

Barbara Schnoll

Robert J. Schnoll

Modesta Douchy

Thomas J. Doluehy

Sister Adeline
formerly Antoinette Egan.

May H. Leas
Atty for Remonstrators.

FORT WAYNE, INDIANA

JULY 6th, 1939

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA, AND TO THE BOARD OF SANITARY
COMMISSIONERS OF FORT WAYNE, ALLEN COUNTY, INDIANA:

Jesse Goodlin, respectfully shows that he is
the owner of the following described real estate:

Lots Numbered 104, 105, 106, 107, 108
and 109, White's Fourth Addition to
the City of Fort Wayne, Allen County,
Indiana,

which above described real estate is sought to be
condemned by the City of Fort Wayne, Allen County,
Indiana under Declaratory Resolutions 713- 1939 and the
laws of the State of Indiana for the purpose of
constructing a sewage disposal works; that the award
of damages made by this Board is \$750.00 for the
condemnation of said described real estate, whereas the
undersigned is damaged and injured in the value of not
less than \$1200.00.

The undersigned, respectfully remonstrates
against the failure of this Board to award damages in
a larger sum.

WHEREFORE, this remonstrator claims as
damages the larger sum of \$1200.00

Jesse Goodlin
Ray H. Leas
his attorney.

STATE OF INDIANA

*

* SS

COUNTY OF ALLEN

*

BEFORE THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

IN RE ASSESSMENT OF DAMAGES OF

*

ELIZA KNIGHT

*

REMONSTRANCE

*

Comes now Eliza Knight and shows that she is the owner of Lot number 183 in White's Fourth Addition to the City of Fort Wayne; that pursuant to Declaratory Resolution 713 adopted by the Board of Public Works of Fort Wayne on April 13, 1939, she has been awarded \$900.00 as damage in her behalf for the appropriation of the aforesaid lot number 183.

She respectfully shows and alleges that the construction of the sewage disposal plant is of no benefit to her and that the value of said premises is far in excess of \$900.00.

She further shows that there is a four room house located on said real estate and that said residence has a basement under the entire house; that said lot is 150 feet in length by 42 feet in width, and is a corner lot; that there are numerous fruit trees situated on said lot and one pine tree 20 feet in height; that said house has a solid stone foundation and is in a fair state of repair; that a reasonable cash market value for said property is \$2,000.

Wherefore, petitioner remonstrates against the amount of the assessment of damages and asks that she be allowed the sum of Two Thousand (\$2,000) Dollars as damages and for all other proper relief in the premises.

Eliza Knight.

David Hogg
Atty.

R E M O N S T R A N C E

TO THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA.

The undersigned, Joseph Hartman and Isabell Hartman, hereby remonstrate against the assessment of damages by the City of Fort Wayne, Indiana, for the appropriation and condemning of Lots 127 and 128 in White's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, on which an amount of damages of Fifteen Hundred (\$1500.00) Dollars was allowed by the City and hereby declare that the damages for the condemning and appropriating of said property is of the sum of at least Two Thousand (\$2000.00) Dollars.

Joseph Hartman
Isabell Hartman

R E M O N S T R A N C E

TO THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA.

The undersigned, Joseph Hartman and Isabell Hartman, hereby remonstrate against the assessment of damages by the City of Fort Wayne, Indiana, for the appropriation and condemning of Lots 127 and 128 in White's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, on which an amount of damages of Fifteen Hundred (\$1500.00) Dollars was allowed by the City and hereby declare that the damages for the condemning and appropriating of said property is of the sum of at least Two Thousand (\$2000.00) Dollars.

Joseph Hartman
Isabell Hartman

TO THE BOARD OF PUBLIC
WORKS OF THE CITY OF FORT
WAYNE, INDIANA.

REMONSTRANCE

JOSEPH HARTMAN
ISABELL HARTMAN

R E M O N S T R A N C E

TO THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA.

The undersigned, Joseph Hartman and Isabell Hartman, hereby remonstrate against the assessment of damages by the City of Fort Wayne, Indiana, for the appropriation and condemning of Lots 43 and 44 White's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, on which an amount of damages of Twelve Hundred (\$1200.00) Dollars was allowed by the City and hereby declare that the damages for the condemning and appropriating of said property is of the sum of at least Fifteen Hundred (\$1500.00) Dollars.

Joseph Hartman
Isabell Hartman

TO THE BOARD OF PUBLIC
WORKS OF THE CITY OF
FORT WAYNE, INDIANA.

REMONSTRANCE

JOSEPH HARTMAN
ISABELL HARTMAN

REMONSTRANCE

TO THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA.

The undersigned, Joseph Hartman and Isabell Hartman, hereby remonstrate against the assessment of damages by the City of Fort Wayne, Indiana, for the appropriation and condemning of Lots 43 and 44 White's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, on which an amount of damages of Twelve Hundred (\$1200.00) Dollars was allowed by the City and hereby declare that the damages for the condemning and appropriating of said property is of the sum of at least Fifteen Hundred (\$1500.00) Dollars.

Joseph Hartman
Isabell Hartman

TO THE BOARD OF PUBLIC
WORKS OF THE CITY OF
FORT WAYNE, INDIANA.

REMONSTRANCE

JOSEPH HARTMAN
ISABELL HARTMAN

STATE OF INDIANA)
) SS: BEFORE THE DEPARTMENT OF PUBLIC WORKS
COUNTY OF ALLEN) OF THE CITY OF FORT WAYNE,
STATE OF INDIANA

REMONSTRANCE TO DECLARATORY RESOLUTION # 713

Comes now Peter J. Bopp, Joseph Bopp, Fred Bopp, Marie Bopp, Ronald Bopp, Marjorie Bopp, Clara Franklin and Lillian Maldeny, and by way of remonstrance herein allege that your remonstrators are the owners in fee simple of Lots numbered Twenty-two (22) and Twenty-three (23) Pfleiderers Amended Addition to the City of Fort Wayne, Allen County, Indiana.

That the City of Fort Wayne, Allen County, Indiana, is and during all of the times hereinafter referred to has been a city of second class under the laws of the State of Indiana; and during all of said time one of the executive departments of said City has been a Department of Public Works which has been and which still is under the control of the Board of Public Works of the City of Fort Wayne, Allen County, Indiana.

That heretofore, to-wit: on the 13th day of April, 1939, said Board of Public Works of the City of Fort Wayne adopted Declaratory Resolution No. 713 for the condemnation of certain real estate for the purpose of the construction of a sewage disposal plant.

That the real estate of these remonstrators, and described herein, and being Lots numbered Twenty-two (22) and Twenty-three (23) Pfleiderers Amended Addition has been condemned and awarded damages in the amount of One hundred Eighty (\$180.00) dollars.

Your remonstrators represent to the Board that said real estate is worth more than One hundred Eighty dollars. That said award of damages is inadequate and too small.

WHEREFORE your remonstrators remonstrate against the award of damages for said lots hercin described, and pray that said award of damages may be increased, and for all other proper relief in the premises.

Ronald Bopp

Fred Bopp

Peter J. Bopp Jr.

Clara Franklin.

Marie Bopp

Lillian Waldeney

Marjorie Bopp.

Joseph Bopp.

Dunten and Borgmann, Attorneys
for Remonstrators.

FORT WAYNE, INDIANA

JULY 6th, 1939

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA AND TO THE BOARD OF SANITARY
COMMISSIONERS OF FORT WAYNE, ALLEN COUNTY, INDIANA;

Adloov P. Carl

~~James G. Carl~~, respectfully shows that he is

the owner of the following described real estate:

*Lots 14 and 15
Pfleiderers Awned
Addition*

~~Lots Numbered 101, 105, 106, 107, 108
and 109, White's Fourth Addition to
the City of Fort Wayne, Allen County,
Indiana,~~

which above described real estate is sought to be
condemned by the City of Fort Wayne, Allen County,
Indiana under Declaratory Resolutions 713- 1939 and the
laws of the State of Indiana for the purpose of
constructing a sewage disposal works; that the award
of damages made by this Board is ~~\$750.00~~ ^{215.00} for the
condemnation of said described real estate, whereas the
undersigned is damaged and injured in the value of not
less than ~~\$1200.00~~ ^{300.00}.

The undersigned respectfully remonstrates
against the failure of this Board to award damages in
a larger sum.

WHEREFORE, this remonstrator claims as
damages the larger sum of ~~\$1200.00~~ ^{500.00}

Adloov P. Carl

R E M O N S T R A N C E

TO THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA.

The undersigned, Sarah E. Richardson, hereby remonstrates against the assessment of damages by the City of Fort Wayne, Indiana, for the appropriation and condemning of Lot 126 in White's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, on which an amount of \$650.00 was allowed by the City of Fort Wayne, Indiana, and hereby declares that the damages for the condemning and appropriating of said property is of the sum of Eight Hundred and Fifty (\$850.00) Dollars.

Sarah E. Richardson

Mr. Freun ..

Department of Public Works

Office of the Board: Room No. 101, City Hall

Fort Wayne, Indiana., ~~JUNE~~ 6th, 1939.

~~Weil Realty Corporation,~~

324 East Columbia Street

~~City of Fort Wayne, Indiana~~

City:

Notice is hereby given you that an assessment of benefits, or award of damages, on account of the condemning and appropriating for the construction of Sewage Disposal Works ~~all lots and lands situated East of Glasgow Avenue; South of the Maumee River, West of the East line of Lot Number one hundred four (104) Whites Fourth Addition to the City of Fort Wayne, and said line extended Northward to its intersection with the Maumee River; and north of Dwenger Avenue, excepting from the aforementioned area lots numbered one hundred etc.,~~

has been made against property, situated in the City of Fort Wayne, in Allen County, State of Indiana, recorded as being owned by you, known and described as follows, which assessment of benefits is set opposite said description:

Lot Number;	Addition
Lot 36;	Whites 4th Addition
Amount of Damages \$400.00	
Lot 37;	Whites 4th Addition
Amount of Damages \$400.00	
Lot 38;	Whites 4th Addition
Amount of Damages \$400.00	
Lot 39;	Whites 4th Addition
Amount of Damages \$400.00	
Lot 40 and 41;	Whites 4th Addition
Amount of Damages \$2800.00	
Lot 42;	Whites 4th Addition
Amount of Damages \$350.00	

All in pursuance to Declaratory Resolution No. ~~713~~, adopted by the Board of Public Works of said City, on the ~~13th~~ day of ~~April~~, 19~~39~~, authorized by the provisions of an act of the General Assembly of the State of Indiana, approved March 6th, 1905. Entitled "An Act Concerning Municipal Corporations," and under all acts amendatory thereto and supplemental thereof.

The Board of Public Works will meet, in its office, at ~~7:30~~ o'clock P. M., on the ~~6th~~ day of ~~July~~, 19~~39~~, for the purpose of hearing and considering any remonstrance which you may desire to present in regard to the amount of your assessment of benefits or award of damages, as aforesaid.

By Order of

BOARD OF PUBLIC WORKS.

By Charles F. Hess
Secretary.

10%

NOTICE
OF ASSESSMENT OF BENEFITS
OR AWARD OF DAMAGES

Against
.....
.....
Account
.....
.....
.....
.....

Served on
.....
by reading and leaving a copy at
.....

No. Street
on the..... day of....., 19.....
.....

Served by
.....

MARTIN

WRECKING COMPANY

BUILDING WRECKING
BUILDING MATERIAL FOR SALE
PHONE E: -1920

BOILER SETTING
MACHINERY MOVING & HEAVY HAULING
YARDS: 3015 New Haven Avenue

Fort Wayne, Ind.

June 13, 1939.

Board of Public Works,
Fort Wayne, Ind.

Gentlemen:

We would like to submit a proposition to you on the demolishing of all the residences and buildings which will be included in the area on Dwenger Avenue to make way for the new Fort Wayne Sewerage Disposal Plant.

We will agree to tear down and remove all of the residences, buildings and sheds in the above mentioned district down to the grade line.

We will furnish all labor, tools and equipment necessary to do this work and we will carry compensation and public liability insurance on all men employed by us, protecting the City of Fort Wayne in every way.

We will use all union labor on this project.

All salvage and material to be removed by us and to be our property.

We will do this work for the salvage.

Hoping this proposition meets with your approval, we are

Very truly yours,

MARTIN WRECKING COMPANY,

APM:VSM

BY

Allen Martin

Fort Wayne Real Estate Board

FORT WAYNE -- THE CITY OF INDUSTRIAL AND COMMERCIAL OPPORTUNITY

OFFICERS

PRESIDENT
A. W. ROSE
413 DIME BANK BLDG.

VICE-PRESIDENT
HENRY E. BRANNING, JR.
902 OLD-FIRST BLDG.

TREASURER
GEORGE R. JONES
1209 OLD-FIRST BLDG.



DIRECTORS

C. L. BAIRD
FRANK M. FISHER
H. W. HUNTER
R. A. LAMAR

CARL D. LIGHT
OTTO W. POHLMAYER
FELIX ROUSSEAU
BEN F. SHIRK
HARRY A. ZWAHLEN

CLEM J. STEIGMEYER
EXECUTIVE-SECRETARY
259 CENTRAL BUILDING
PHONE A-1230

June 13, 1939

Board of Public Works,
City of Fort Wayne,
Fort Wayne, Indiana.

Gentlemen:-

In the appraisal made for you under date of May 19, 1939, of Lot 131 White's Fourth Addition, belonging to J. Hartung, credit was given for three small houses. We find that the house in the middle of this lot does not belong to the owner of the lot. Therefore, if this house is removed from the lot, the sum of \$150.00 should be deducted from the total amount of the appraisal.

Yours very truly,

(Signed)

VALUATION COMMITTEE

BY

Frank M. Fisher
Harry W. Smiley
Ben F. Shirk

Made matter of record.

Referred to
Mr. Lloyd Hartley

PAPERS IN RELATION TO
DECLARATORY RESOLUTION

No. 713-1939

City of Fort Wayne
Indiana



LEGAL DEPARTMENT
PAUL W. PHILIPS
WILLIAM F. McNAGNY
THOMAS A. GALLMEYER

417 Standard Bldg.

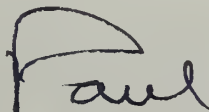
October 22, 1953

MEMORANDUM TO: Board of Public Works

ATT'N: Mr. Beams

I am returning herewith the document pertaining to the sewer lying immediately east of Pemberton Drive. On the basis of it, I have forwarded a letter to Mr. Fred Wissman, City Auditor, calling his attention to the condemnation of such property and requesting that his records be corrected accordingly and the property taken off the tax rolls.

For tax rolls purpose, however, that additional property which was covered by the easement grant, also included among the attached papers, is not owned outright by the City and therefore must remain on the tax rolls.



Paul W. Philips
CITY ATTORNEY

PWP/bl1

Enclosures

GEORGE C. BOND
AUDITOR ALLEN COUNTY
FORT WAYNE 2, INDIANA

January 25, 1955

Board of Allen County Commissioners
Court House
Fort Wayne, Indiana

Gentlemen:

Please be advised that the City of Fort Wayne has acquired title to the following described real estate in Allen County, Indiana, to-wit:

Beginning at a point on the south line of Lake Avenue 123.5 feet east of the east line of Pemberton Drive, thence east along the south line of Lake Avenue a distance of 165.5 feet, thence south parallel to and 289 feet east of the east line of Pemberton Drive a distance of 94 feet, thence west a distance of 80 feet, thence south parallel to and 209 feet east of the east line of Pemberton Drive to the northerly line of the Maumee River, thence south westerly along the northerly line of the Maumee River to a point, which point is the intersection of a line parallel to and 123.5 feet east of the east line of Pemberton Drive and the northerly line of the Maumee River, thence north parallel to and 123.5 feet east of the east line of Pemberton Drive to the south line of Lake Avenue, which point is the place of beginning, situated in the West 1/2 of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, and lying outside of the corporate limits of the City of Fort Wayne.

On behalf of the City of Fort Wayne, Indiana, it is therefore requested that the necessary steps be taken to remove the lien of 1954 taxes due and payable in 1955, which lien was assumed by the City of Fort Wayne.

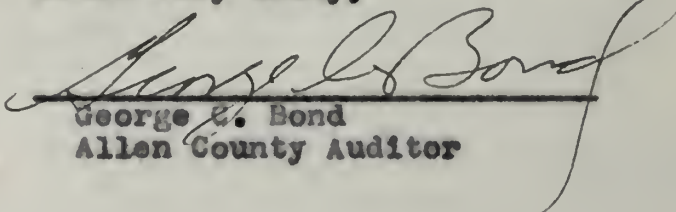
It is my opinion that all liens of taxes on the above described property for 1954, payable in 1955, should be removed except the State Tax.

Therefore, I am requesting that the Board of County Commissioners extend upon its records due recital of the facts of such cancellation, distribution and payment. This authority is established by Burns 64-2831 of the Acts of 1933, Chapter 49, Paragraph 1, Page 387.

This is also to notify you that said property will be removed from the tax records as to all future taxes.

Yours very truly,

GCB:a
cc: Willis Hite, Co. Treasurer
Lee Burgette, Adams Twp. Assessor
Elmer Cook, County Assessor
Paul Phillips, Fort Wayne City Attorney ✓


George C. Bond
Allen County Auditor

DECLARATORY RESOLUTION NO. 713-1939

RESOLUTION FOR THE APPROPRIATION OF PROPERTY.

Resolved, By the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed desirable and necessary to acquire the use and the fee simple title of real estate for the purpose of construction of "SEWAGE DISPOSAL WORKS" as specifically defined in the Acts of the Special Session of the General Assembly of the State of Indiana of 1932, by condemning and appropriating all lots and lands situated east of Glasgow Avenue; south of the Maumee River; west of the east line of Lot Number 104 White's Fourth Addition to the City of Fort Wayne, Indiana, and said line extended northward to its intersection with the Maumee River; and north of Dwenger Avenue, excepting from the aforementioned area lots numbered 153, 154, 155 and 156 in White's Fourth Addition to the City of Fort Wayne, Indiana. Also all lots and lands situated south of Dwenger Avenue; west of the east line of Lot Number 57 White's Fourth Addition to the City of Fort Wayne, Indiana; north of the right of way of the New York, Chicago and Saint Louis Railroad, and east of Lyons Street, all of which is more specifically described as follows:

Lots numbered 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, Pfeleiderer's Amended Addition to the City of Fort Wayne, Indiana.

Also, Lots numbered 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 157, 158, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 243, 244, 245 White's Fourth Addition to the City of Fort Wayne, Indiana.

Also, a portion of Section 6, Township 30 North, Range 13 East, described as follows:

Commencing at a point 300 feet northerly along the east line of Glasgow Avenue from the corner of Glasgow Avenue and Zollinger Street; thence eastward 96 feet; thence north 70 feet to the bank of the Maumee River; thence west along said river bank seventy-five (75) feet to the east line of Glasgow Avenue; thence south along the east line of Glasgow Avenue 70 feet to the place of beginning.

Also, a 1.45 acre tract of land located in Section 6, Township 30 North, Range 13 East, described as follows:

Commencing at the intersection of the west line of said tract surveyed and platted by the County Surveyor of Allen County, Indiana, as shown in Surveyor's Record "C" page 485, and the Maumee River; thence easterly with the meanderings of said river to a point, being the northeast corner of said tract; thence south $25\frac{1}{2}$ minutes west, on the east line of said tract 175 feet to a point on a 14 foot alley; thence west on the north line of said alley 430.5 feet to a point which is the southwest corner of said tract; thence north 85 feet to the place of beginning.

Also, all that parcel of land in Section 6, Township 30 North, Range 13 East, described as follows:

Commencing at a point on the north line of Zollinger St. 275 feet west of the northwest corner of Zollinger Street and Lyons Street; thence east on the north line of Zollinger Street 275 feet to the northwest corner of Zollinger Street and Lyons Street; thence north on the west line of Lyons Street to the north line of a twenty (20) foot alley on the north side of White's Fourth Addition; thence east on the north line of said alley to a point in line with a line between Lots numbered two hundred twenty-two (222) and two hundred twenty-three (223) in said White's Fourth Addition; thence northerly 304 feet; thence west bearing north $21\frac{1}{4}$ feet to a point which is 406 feet straight northerly from the corner of Zollinger Street and Lyons Street; thence west bearing south a distance of 275 feet; thence south nearly parallel with the east line of Glasgow Avenue a distance of 390.5 feet to the place of beginning.

Also, all that part of Section 6, Township 30 North, Range 13 East, lying between Lots numbered 204 to 222 inclusive, White's Fourth Addition and the Maumee River.

Also, all that part of Section 6, Township 30 North, Range 13 East, lying between White's Fourth Addition and the Maumee River, east of Dougall Street and west of the east line of Lot number 104 White's Fourth Addition.

Also Lots numbered 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57 White's Fourth Addition to the City of Fort Wayne, Indiana.

All of the aforementioned lots and tracts of land being situated within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

All as shown by a plan of such proposed condemnation of said lots and tracts of land now on file in the office of the Department of Public Works of said City.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6th, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, and an "Act To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the treatment and for the disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation and to make them lawful investments of sinking funds; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby;

DECLARATORY RESOLUTION #713 - CONTINUED

and declaring an emergency," approved August 17th, 1932, and the provisions of all acts amendatory thereto and supplemental thereof.

That the Board of Public Works of the City of Fort Wayne, Indiana, desires and deems it necessary for the City of Fort Wayne, Indiana, that the use and fee simple title of said aforementioned real estate be condemned and appropriated for Sewage Disposal Works.

That the City of Fort Wayne, Indiana, will be benefited by acquiring the use and fee simple title on the part of the City of said real estate and ground herein described, and which real estate is hereby proposed to be condemned and appropriated. That no other property is injuriously effected excepting the property herein to be condemned and appropriated and that the City of Fort Wayne, Indiana, is or will be benefited to the full extent of any damage caused by the appropriation and condemnation.

That payment for damages shall be made pursuant to the provisions and conditions of Chapter 61 of the 1932 Acts of the Special Session, of the General Assembly of the State of Indiana.

Adopted April 13, 1939.

Confirmed

5-4-1939
INX-OR

OFFICE OF BOARD OF PUBLIC WORKS

St. Op. 8-35 to 39

Declaratory
Reo. 713-1939

Conf. 5-4-1939

Improvement Res. No.

Resolution Adopted:

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

